



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/598,422	08/29/2006	Guoshun Deng	3836-005 NATL	4477
24728 7590 01/07/2009 MORRIS MANNING MARTIN LLP 3343 PEACHTREE ROAD, NE 1600 ATLANTA FINANCIAL CENTER ATLANTA, GA 30326			EXAMINER WOO, KUO-KONG	
			ART UNIT 4133	PAPER NUMBER
			MAIL DATE 01/07/2009	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/598,422	Applicant(s) DENG ET AL.	
	Examiner KUO WOO	Art Unit 4133	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 August 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>8/29/06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This office action is in response to the applicants' communication filed on 8/29/06. Claims 1 and 7 have been amended and entered into record on August 29, 2006. In virtue of this communication, claims 1-10 are currently presented in the instant application.

Priority

2. Receipt is acknowledged of paper submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file. This application is a 371 of PCT/CN05/00244 on 02/28/2005 and claims to foreign priority number 200410015523 X, filed on February 29, 2004.

Information Disclosure Statement

3. The information disclosure statement (IDS) submitted on 8/29/2006 in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner

Drawings

4. The drawings submitted on 8/29/06. These drawings are reviewed and accepted by the examiner.

Specification

Abstract

5. Applicant is reminded of the proper language and format for an abstract of the disclosure.

Art Unit: 4133

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The abstract of the disclosure is objected to because the legal phraseology such as in the "said" "wireless communication mode" should be avoided. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 7- 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Nan (CN 2174813Y).

As to claim 7, "A wireless control system for digital household appliance including at least one device, comprising: a remote controller for wirelessly transmitting control commands, the remote controller being able to operate at least two wireless communication modes" Nan discloses (Abstract, The remote-controlled device can be remotely controlled by an infrared signal or a radio frequency signal.), wherein at type wireless communication modes is utilized to transmit commands.

"A receiver for receiving and executing the control commands transmitted by the remote controller" Nan discloses (Abstract the remote-controlled device

Art Unit: 4133

includes a remote-controlled transceiver circuit), wherein a remote-controlled transceiver acts as receiver and transmitter to execute control command to appliances.

“wherein the remote selects one wireless communication mode from the at least two wireless communication modes according to the control commands to wirelessly communicate with said device or said receiver) Nan discloses (Abstract, The remote controlled device includes a remote –controlled transceiver circuit) and (can be controlled by an infrared signal or a radio frequency signal), wherein control commends wireless communicate with device.

As to claim 8, Nan discloses (Abstract, The remote-controlled device can be remotely controlled by an infrared signal or a radio frequency signal), wherein infrared signal is low power dissipation radio unit and GSM or radio frequency signal is high speed transmission unit.

As to claim 9, (i.e. switching between IRDA and radio communication signals) has limitation similar to those treated in the above rejection of claim 7 and is met by the reference as discussed above.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1-2 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over CN2174813 Y to Nan in view of US Patent Application Number 2004/0249925 A1 Jeon.

As to claim 1, "A remote controller for controlling digital household appliance including at least one device, including a power unit and an input unit, the remote controller further comprising: a radio unit for operating at least two wireless communication modes" Nan discloses (Abstract, The remote-controlled device can be remotely controlled by an infrared signal or a radio frequency signal), wherein two type of signals can be sent from controller unit; "A control unit for selecting one of the at least two wireless communication modes" Nan discloses same as reason as above (Abstract);

Nan does not explicitly teach "control commands inputted by a user and transmits the control commands to the device for controlling operations of the device" Jeon discloses (Paragraph 24, if the appliance to be controlled is selected by the user using the key input unit), wherein user select one of two communication modes to achieve the goal.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use Nan teaching in combination of Jeon provides users with user interface that has the exactly same configuration as a remote control (See Abstract). Combine prior art elements according to known method to yield predictable result.

Art Unit: 4133

As to claim 2, “wherein the radio unit comprises a low power dissipation radio unit and a high speed transmission unit” Nan discloses (Abstract, The remote-controlled device can be remotely controlled by an infrared signal or a radio frequency signal), wherein infrared signal is low power dissipation radio unit and GSM or radio frequency signal is high speed transmission unit.

As to claim 6, has limitation similar to those treated in the above rejection of claim1, and is met by the reference as discussed above.

10. Claims 3 -5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nan and Jeon in further view of US Patent Application Number 2005/0076242 A1 to Breuer.

As to claim 3, Nan teaches “the low power dissipation radio unit adopts one of wireless commutation protocols”. Nan does not explicitly teach “Bluetooth protocol, Zigbee protocol and IrDA infrared protocol” Breuer teaches (Paragraph 14, the present invention uses Bluetooth to establish a secure link between a personal computing device and a mobile electronic device), wherein Bluetooth protocol was established between remote control device and device.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Nan and Jeon teaching in invention of Breuer provides (Paragraph 14 relatively inexpensive because Bluetooth is a standard communication protocol that has become widely available as a replacement for physical cable connections). Apply a known technique to a known device ready for improvement to yield predictable results.

Art Unit: 4133

As to claim 4, Nan discloses “wherein the high speed transmission unit adopts one of wireless communication protocols” but doesn’t explicitly teach HomeRF protocol, UWB protocol, IEEE802.11x protocol, IEEE802.11a protocol, IEEE802.11b protocol, IEEE802.11d protocol, IEEE802.11.g protocol, IEEE802.15 protocol, IEEE802.16 protocol, IEEE802.3 protocol, GSM protocol, GPRS protocol, CDMA protocol, 2.5G protocol and 3G protocol” Breuer discloses (paragraph 19, the present invention provides an access control system comprising: a protected device, a personal locking device, and an intelligent access control key software residing on the protected device. The protected device and personal locking device are both Bluetooth-enabled. Other possible communication protocols include but are not limited to ZigBee (IEEE 802.15.4) and Ultra Wide Band (IEEE 802.15.3). These can also be used as they become available for mass market applications), wherein multiple transmission protocols are utilized for the system.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Nan and Joen teaching in invention of Breuer provides (Paragraph 14 relatively inexpensive because Bluetooth is a standard communication protocol that has become widely available as a replacement for physical cable connections). Apply a known technique to a known device ready for improvement to yield predictable results.

As to claim 5, Nan discloses to use one of low power dissipation radio unit. Nan does not explicitly disclose” wherein the operation of the low power

Art Unit: 4133

dissipation radio unit is preset as a default mode” Breuer discloses (Abstract, The electronic device and personal locking device are Bluetooth-enabled and use Bluetooth to communicate with each other), wherein Bluetooth low power is default setting for communication.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Nan and Jeon teaching in invention of Breuer provides (Paragraph 14 relatively inexpensive because Bluetooth is a standard communication protocol that has become widely available as a replacement for physical cable connections). Apply a known technique to a known device ready for improvement to yield predictable results.

11. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over CN2174813 Y to Nan in view of US Patent Application Number 2005/0076242 A1 to Breuer.

As to claim 10, Nan teaches “wherein the low power dissipation radio unit”. Nan does not explicitly disclose “radio unit adopts one of wireless commutation protocols including but not limited to Bluetooth protocol, Zigbee protocol and IrDA infrared protocol” Breuer discloses (Paragraph 19, The protected device and personal locking device are both Bluetooth-enabled. Other possible communication protocols include but are not limited to ZigBee (IEEE 802.15.4), wherein one of low power dissipation radio unit is used for the transmission.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Nan teaching in invention of Breuer provides (Paragraph 14 relatively inexpensive because Bluetooth is a standard communication protocol that has become widely available as a replacement for physical cable connections). Apply a known technique to a known device ready for improvement to yield predictable results.

Conclusion

12. The prior art s are made of record and not relied upon is considered pertinent to applicant's discloses.

- US Patent Number 7,205,892 B2 to Luebke et al discloses a similar invention as recited in claim 7.
- US Patent Application Number 2002/0087996 A1 to Bi et al discloses a similar invention as recited in claim 1.
- US Patent Application Number 2003/0034898 A1 to Shamoan et al discloses a similar invention as recited in claim 7.
- US Patent Number 6,144,848 to Walsh et al discloses a similar invention as recited in claim 1.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KUO WOO whose telephone number is (571)270-7266. The examiner can normally be reached on Monday through Friday 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Abul Azad can be reached on 571-272-7599. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/ABUL AZAD/
Supervisory Patent Examiner, Art
Unit 4133

/KUO WOO/
Examiner, Art Unit 4133

Application/Control Number: 10/598,422
Art Unit: 4133

Page 11